

820 KAR 1:025. Financial reports of a licensed charitable organization.

RELATES TO: KRS 238.550(6), (7), (8), 238.570(1)

STATUTORY AUTHORITY: KRS 238.515(4), (9), 238.550(6), (7), (8), 238.570(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 238.515(4) requires the Department of Charitable Gaming to promulgate administrative regulations establishing standards of accounting, recordkeeping, and reporting to insure charitable gaming receipts are properly accounted for. KRS 238.550(6), (7), and (8) require the department to promulgate administrative regulations concerning financial report forms. KRS 238.570(1) requires a licensed charitable organization to remit a percentage of the gross receipts derived from charitable gaming to the department. This administrative regulation establishes the method and time of filing the financial reports and remitting payment of the fees due.

Section 1. Reporting Period Defined. (1) For a licensed charitable organization that has gross receipts of \$200,000 or less per calendar year and does not have a weekly bingo session, a complete, accurate, legible, and verifiable financial report, in accordance with Section 2 of this administrative regulation, shall be submitted by the licensed charitable organization along with the fee required by Section 3 of this administrative regulation for every year licensed to game on or before January 31st.

(2) For a licensed charitable organization not described in subsection (1) of this section, a complete, accurate, legible, and verifiable financial report, in accordance with Section 2 of this administrative regulation, shall be submitted by the licensed charitable organization along with the fee required by Section 3 of this administrative regulation for every quarter licensed to game on or before the following dates:

- (a) April 30, for the quarter January 1 to March 31;
- (b) July 31, for the quarter April 1 to June 30;
- (c) October 31, for the quarter July 1 to September 30; and
- (d) January 31, for the quarter October 1 to December 31.

(3) If the due date is on a Saturday, Sunday, or legal holiday, the report shall be due on the first business day thereafter.

(4) The financial report and fee shall be considered filed when due if it has been:

- (a) Mailed to the department by first class mail, postage prepaid, to the correct address and postmarked by the due date;
- (b) Received in the department by hand-delivery on or before the due date; or
- (c) Received by the department electronically on or before the due date.

Section 2. Financial Reports. (1) A financial report shall:

- (a) Be submitted on Form CG-FIN, Financial Report for a Licensed Charitable Organization, including all attachments;
- (b) Be completed in ink or typed;
- (c) Include the original signature and printed name or, if submitted electronically, the typewritten name of either the chief executive officer or the chief financial officer of the licensed charitable organization; and
- (d) Include the original signature and printed name or, if submitted electronically, the typewritten name of the preparer if prepared by an individual other than the chief executive officer or chief financial officer.

(2) If an organization does not have any information to place on an attachment to the financial report, it shall indicate "not applicable" on the attachment.

(3) To complete the Bingo Paper Supplies Inventory page of Form CG-FIN, the product de-

scription shall be listed in the format "# ON # UP", with:

- (a) The number "ON" being the number of bingo faces on a bingo paper sheet; and
 - (b) The number "UP" being the number of bingo paper sheets contained in a bingo paper pack.
- (4) If multiple pages are used for inventory, each person completing the inventory shall sign one (1) page of the pages that person completed and initial the remaining pages.

Section 3. Fees Due. The fee imposed by KRS 238.570(1) on gross gaming receipts of a licensed charitable organization shall be remitted by check made payable to "Kentucky State Treasurer" at the time the financial report is due.

Section 4. Reporting Expenses. All expenses incurred by a licensee shall be reported on the financial report for the date on which payment was made, which shall be either the date a check was written or an electronic funds transfer was made, regardless of when the supplies were used or the services were rendered.

Section 5. Incorporation by Reference. (1) Form CG-FIN, "Financial Report for a Licensed Charitable Organization", 5/15, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Charitable Gaming, Public Protection Cabinet, 132 Brighton Park Boulevard, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (21 Ky.R. 1998; Am. 2500; eff. 3-10-1995; 23 Ky.R. 1410; 1935; eff. 11-8-1996; 24 Ky.R. 152; 873; eff. 9-12-1997; Recodified from 500 KAR 11:025, 2-23-1999; 26 Ky.R. 226; eff. 10-15-1999; 28 Ky.R. 1503; 2033; eff. 3-13-2002; 32 Ky.R. 767; 1273; 1637; eff. 3-31-2006; 33 Ky.R. 3512; 34 Ky.R. 58; 256; eff. 8-31-2007; 40 Ky.R. 1465; eff. 4-4-2014; 42 Ky.R. 924; eff. 1-4-2016.)